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O.F. 71.

1936

Department of Land Rev

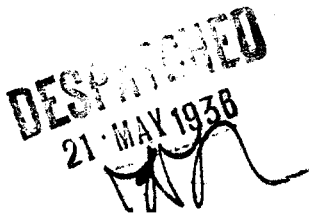
OFFICE Bo gor

STATION Madras

Mrs No. 1702

Dated 19.5.36

B 1054



BOARD OF REVENUE
4- MAR 1936
MADRAS

South Kanara Collector's Office,
Camp: Sitanadi, dated 26th February 36.

From

E. M. Gawne, Esq, I.C.S.,
Collector of South Kanara.

To

The Secretary to the
Board of Revenue,
M a d r a s.

S i r,

Alienation--land--Mangalore Taluk--Derebail village--S. Nos. 25 and 126 -- Dumping ground--Municipal Council--modification in conditions of alienation--sanction requested.

The Municipal Council of Mangalore is using for pine-apple cultivation two acres of land, alienated in its favour for dumping purposes in G. O. No. 430 Revenue dated 16th February 1915 and B.P.Mis. 2548 Land Revenue & Settlement dated 12th August 1931. The use is temporary and is unobjectionable; it is said to be done to prevent the soil from getting "sewage sick" and becoming unfit for further trenching. The cultivation renders it necessary, however that some amendment should be made in the conditions of alienation already imposed.

2. The cultivation naturally will not be restricted to any particular area nor confined to the same spot year after year. It seems sufficient if assessment is therefore charged on the extent as estimated by the Tahsildar each year A rate of Rupees two per acre will be reasonable, as the land lies outside the Municipal limits.

3. I enlcose a copy of my letter dated 5th October 1935 to the Commissioner of the Municipality proposing additional conditions for acceptance by the Council and a copy of the re-

solution 47/17.2.1956 of the Municipal Council accepting the conditions proposed by me. I request that these conditions may be approved and ordered to be incorporated in the conditions of alienation to which the plots are subject.

Your obedient servant,

Collector.

Ref.B3-4518-35.

South Kanara Collector's Office,
Mangalore, 15th October, 1935.

From

E. M. Gawne, Esquire, I.C.S.,
Collector of South Kanara.

To

The Commissioner,
Mangalore Municipality.

Sir,

Alienation - Land - Mangalore Taluk -Derebail village - S.Nos.25 and 126 -Dumping ground -Municipal Council -Breach of conditions -modification - acceptance.

The Tahsildar of Mangalore reports that one acre of land from S.No. 25 and another acre out of S.No.126 of Derebail have been used by the Municipal Council for the cultivation of pine-apple. As the cultivated land forms portion of the dumping ground alienated in B.P.Mis.No.2548 dated 12-8-1931 and G.O. No.430 Rev. dated 16-2-1915, the use of the land for cultivation will be a breach of the conditions of alienation, though perhaps not otherwise objectionable. It is necessary, therefore to modify these conditions so as to permit such cultivation, subject to payment of assessment on the area of trenched ground actually used each year for cultivation, extents under 20 cents being ignored. Please state if the Municipal Council agrees to abide by the additional condition specified by me below, so that I may address Government and obtain sanction for its incorporation among the conditions of alienation

2. It is presumed that the cultivation of pineapples is only a subsidiary purpose which will not in any way interfere with the use of the alienated lands for dumping ground. Please make this clear in the resolution of the Council which you will be sending in reply to this letter.

Sd/ B. Madhava Rao,
For Collector.

(True copy)

smadhavarao
For Collector.
29/2

29-2-36.

Additional Condition.

The use at any time by the Municipal Council of portions f the alienated land, temporarily for the cultivation of fruits r other similar crops, which will not interfere in any way ith the ultimate use of the land for dumping purposes shall not e construed as a breach of the conditions of alienation provided a) that the intention to make such use and the extent and ature of such use is notifed every year by the Council to the ollector of South Kanara in advance in the month of February nd his permission is obtained.
nd (b) that the Council shall pay Government assessment at the ate of Rs. 2/- per acre in respect of all bits of such ultivation which exceed 20 cents in extent.

outh Kanara Collector's office, Mangalore, dated 15th October '35

Sd/- B. Madhava Rao,
For Collector.

(True copy)

romadhavarao 29/2
For Collector

29.2.36

Extract from the Proceedings of the Mangalore Municipal Council dated 13th February 193(

P r e s e n t.

xx xx

47. Read proceedings of the Collector of South Kanara, Ref.B3/4518-35 dated the 10th January 1936 declining to remit the assessment on the area occupied for the plantation of pine apples in the Municipal Trenching ground.

Recorded. The Council agrees to the conditions specified in the Collector's letter No.4518/35 dated the 15th October 1935.

xx xx xx

(True Extract)

Municipal Office,
Mangalore 18-2-1936.

Sd/ C. R. Karunakara Menon,
Commissioner M.M.

(True copy)

madhavarao 29/2
For Collector.

29.2.36

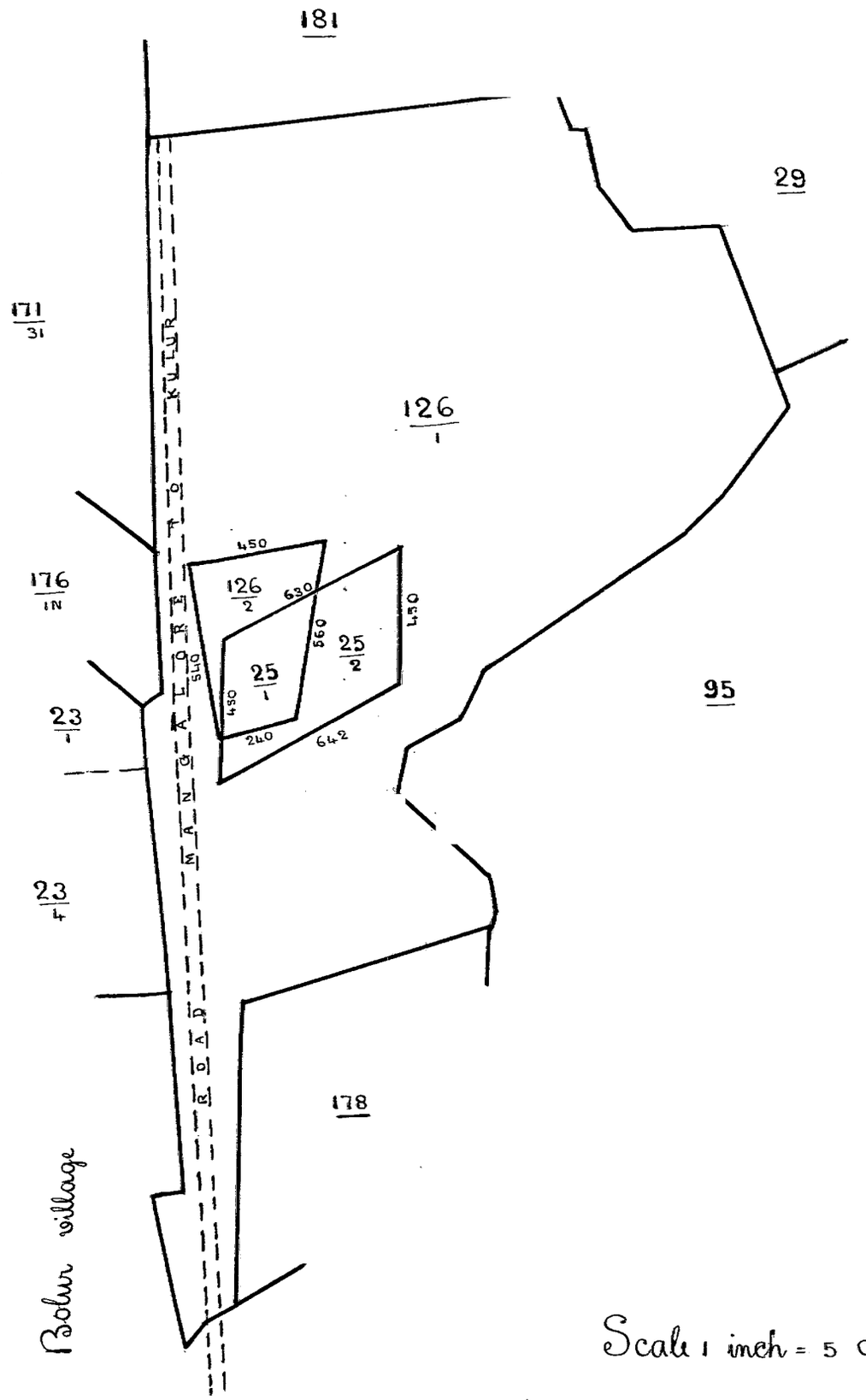
9 17

District South Kanara

Taluk Mangalore

Village { No 88 / Name Derebail

Survey Nos 126 & 25.



Scale 1 inch = 5 chains

Index

Survey and Subdivision no		Particulars
126	2	Enclosed and cultivated by the Municipality.
25		
126		Alienated for dumping ground
25		
176		Road margin.
23		
		Patta lands.
		Road margin.

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

SUBJECT :— Alienation Land (South Kanara) - Mangalore Taluk Derebail Village. 8 Nos 25 and 126 - Dumping Ground - Municipal council Conditions amended - G.O. Comm.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____

READ *ALSO* :—

No. _____ From the _____, No. _____, dated _____ 19____

" _____ " B1054/36 " 9 " 12 19 Cf

" _____ " B2229/36 " A " 13 19 Cf.

Order / Resolution Ms. / ~~Rout~~. No. 1702, dated 19. 5. 1936.

communicated to the Collector of South Kanara

2. The following shall be added as a note under condition 1 in paragraph 2 of BP 2548 Mis dated 12.8.31

" The use at any time by the Municipal council of portions of the alienated land, temporarily for the cultivation of fruits or other similar crops, which will not interfere in any way with the ultimate use of the land for dumping purposes shall not be

construed as a breach of the conditions of alienation provided (a) that the intention to make such use and the extent and the nature of such use is notified every year by the Council to the Collector of South Kanara in advance in the month of February and this permission is obtained and (b) that the council shall pay Govt assessment at the rate of Rs 2/= per acre in respect of all bits of such cultivation which exceed 20 cents in extent.

Ellis 1858

1858

SS 18/8/36.

Note File

A S (L R) Alienation Land (S. Kanara) Mangalore Taluk Derebail Vge. S Nos 125 + 126 Dumping ground - Municipal council Mangalore - modifications of condition

1) 2548 M 0/12 + 31 (B)
2) 666 M 0/5-3-15 (T)

B 10.54/36 pp 142 CF

To A S (L R)

Please see the collector's

48 mis of 12.8.31, a further
t of 2.50 acres in ~~the~~ S No
in the same Village (was alienated) for a
mping grounds. The collector
ports that the Municipal
uncil is using for an ~~ap~~
tent of 2 acres of land sanctione
the above two orders, for prima
lization. The use is reported
be temporary and no objection

The cultivation of portions of the land is resorted to with a view ~~And also~~ to prevent the soil from getting "sewage sick" As the cultivation of the extent is against the conditions of alienation, the Collector has proposed certain additional conditions, which the Municipal council had accepted. He has suggested that the Conditions may be incorporated in the conditions of alienation to which the plots are subject

3 The point for consideration is whether it is necessary to incorporate the conditions proposed by the Collector in the orders of granting the alienation in (J) & (B). It may be noted that the alienation in the 2 cases was made free of assessment. The cultivation will not be restricted to any particular area nor confined to the same spot year after year. The extent and the plot to be cultivated will vary from year to year. As the Municipal Council will derive an income from the extent cultivated, the Collector has stated that it will be necessary to impose ~~insufficient~~ assessment on the extent cultivated & that at

Rs 2/- per acre may be charged on the land cultivated. It appears sufficient if the Municipal council notifies to the collector every year in advance in the month of February the extent and the nature of the use to which any portion of the land will be put to, small bits below 20 cents being exempted from payment of assessment. It is unnecessary to incorporate the conditions in the Orders at (B) & (J). If this view is accepted, the Govt may be addressed to ~~impose the~~ permit the cultivation of portions of the fields alienated subject to the conditions proposed, without incorporating them in the Orders of alienation.

The Asst Coll's argument is that the cultivation of a portion of the area alienated is against the conditions of alienation and hence his present proposal. If the additional conditions are imposed by the issue of separate executive instruction it is likely that they are lost sight of at any future date. It is therefore desirable that the conditions in (J) & (B) are suitably amended so that all the orders may be

be in one and the same file. The C.M.'s proposal to issue an amendment to the orders at (J) & (B) may be approved recommended to the Govt.

SK 12/3/36.

h14336

16/3.

Note. The Office will avoid using an Office Note which is merely a re-hash of Correspondence that is under consideration or comment or points arising out of it.

S

M1

Office. Please note, h28336

Notes Sir 29/3. SK 29/3.

19 = 06

J.O. A.S. (LR)

Draft submitted

AS(LR)

SK 27/3/36. h28336

SK 27/3/36.

918 ues AS B dis Ref B 1054-36-1 of 28.3.35 } PP 11:46

B2229/36 p13C.F.

J.O. A.S. (LR)

Draft submitted

H.S.(LA)

SK 18.5.36

SK 18/5/36.

W 18/5/36